

AF / CFW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Richard BENTLEY

Group Art Unit: 2143

Application No.: 09/977,303

Examiner: J. JEAN GILLES

Filed: October 16, 2001

Docket No.: 110878

For: METHOD AND APPARATUS FOR GENERATING A USER INTEREST PROFILE

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the May 6, 2005 Office Action, Applicant respectfully requests reconsideration of the rejections at least in light of the following remarks.

Claims 1-20 are pending in this application.

The Office Action rejects claims 1-3, 5, 6, 8, 11, 12, 14, 15, 17, 19, and 20 under 35 U.S.C. §102(a) over U.S. Patent 6,029,195 to Herz in view of U.S. Patent 6,353,827 to Davies et al. (hereinafter "Davies"). Applicant respectfully traverses the rejection.

In order to establish a prima facie case of obviousness, three criteria must be met (MPEP §§ 2142, 2143). 1) There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to the skilled artisan, to modify the reference or combine reference teachings. 2) There must be a reasonable expectation of success. 3) The prior art reference (or references when combined) must teach or suggest all of the claim limitations. The first two criteria must both be found in the prior art, and not based on Applicant's disclosure.